

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

KEVIN HARRIS,

Plaintiff,

Case No. 2:07-CV-10

v.

Hon. Gordon J. Quist

JIM LEPLANTE, et al.,

Defendants.

ORDER AND JUDGMENT
APPROVING REPORT AND RECOMMENDATION

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on Plaintiff on February 20, 2008. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).¹

THEREFORE, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge, filed February 19, 2008, is approved and adopted as the opinion of the Court.

IT IS FURTHER ORDERED that Defendants' Motion to Dismiss for Failure to Exhaust Administrative Remedies (treated as a motion for summary judgment) (docket no. 13) is **GRANTED**, and Plaintiff's claims under 42 U.S.C. § 1983 are dismissed without prejudice.

This case is **concluded**.

Dated: March 26, 2008

/s/ Gordon J. Quist
GORDON J. QUIST
UNITED STATES DISTRICT JUDGE

¹The Court notes that staff notes in the docket report indicate that Plaintiff was discharged from prison on February 1, 2008. "Plaintiff has the duty to inform the court of any address changes," *Kelly v. Wal-Mart, Inc.*, 2007 WL 2847068, at *1 (N.D.N.Y. Sept. 26, 2007), and it is not incumbent upon this Court or its staff to keep track of Plaintiff's current address.